

ABSTRACT

Public Services-Allegation of Corruption against Sri Sanpatirao Ramu, Mandal Deputy Surveyor, Dornala Mandal, Praksam District-Trapped on 10.09.2007-Sanction of Prosecution -Orders-Issued.

REVENUE (VIG.II) DEPARTMENT

Dated:02 .11.2009

G.O.Ms..No:
Read the following;

ORDER:

- 1.G.O.Ms.NO.918 Rev (Vig.II) Dept, dt.28.08.2008
- 2.From the D.G, ACB Lr.No.177/RCT-NPK/2007
Dt.07.10.2009

1. Whereas, Sri Sanpatirao Ramu, worked as Mandal Deputy Surveyor, Dornala Mandal, Praksam District from 24.02.2005 to 10.09.2007 and by virtue of the post held by him, he falls under the category of Public Servant, as defined under section 2 (c) of the Prevention of Corruption Act, 1988 (Act 49 of 1988) ;

2. And Whereas, Sri Syed Madhar Sahed S/o Mahaboob Vali Defacto Complainant, Ex-Service man, R/o Pedda Dornala, Dornala Mandal, Prakasam district has been enjoying and cultivated an extent of 4.98 cents Government land vide Survey No.726/1 at Pedda Dornala Mandal, Praksam District. In the month of January,2005 he submitted a representation to the Mandal Revenue Officer, Dornala (G. John Victor Prabhakar Rao) with a request to issue Patta to the Government land, which was being cultivated by him under Military quota. On 18.12.2006 he submitted a representation to the Collector and District Magistrate, Ongole for issuing Patta, which was sent to the Mandal Revenue Officer for

taking necessary action. On 25.08.2007 at 11-00 AM he approached Sri G. John Victor Prabhakar Rao, Tahsildar and requested him to issue Patta in his favour in respect of the said Government land. Then Sri G. John Victor Prabhakar Rao, Tahsildar advised him to meet Sri S. Ramu, Mandal Deputy Surveyor, Dornala and accordingly Sri Syed Madhar Saheb approached Sri S. Ramu. On that Sri S. Ramu Mandal Deputy Surveyor informed him that Sri G. John Victor Prabhakar Rao, demanded an amount of Rs.50,000/- as illegal gratification to issue Patta in favour of him in respect of the said Government land. On the same day evening Sri Syed Madar Saheb along with Sri A. Venkateswara Rao, Village Revenue Officer, Chinna Dornala, Praksam District went to the house of G.J.V.Prabhakar Rao and requested him to issue Patta. Then Sri G. J. V. Prabhakar Rao demanded to pay Rs.50,000/- as bribe. When Sri Syed Madhar Saheb expressed his inability, Sri G. J. V. Prabhar Rao demanded him to pay at least Rs.30,000/-. Again, on 03.09.2007 in between 3-30 PM and 4-00 PM Sri Syed Madhar Saheb approached Sri G. John Victor Prabhakar Rao, and requested him to issue Patta. Sri Syed Madhar Saheb expressed his inability to pay the bribe. Then Sri G. John Victor Prabhakar Rao demanded Sri Syed Madhar Saheb pay at least Rs.30,000/- to issue Patta to the Government land being enjoyed by him. As Sri Syed Madhar Saheb had no other go agreed to pay the demanded bribe amount to Sri G. John Victor Prabhakar Rao;

3. And Whereas, it is further alleged that Sri Syed Madhar Saheb, S/o Mahboob Vali, Ex-Sevice man, Pedda Dornala, Dornala

Mandal, Praksam district, who was not willing to pay the bribe to Sri G. John Victor Prabhakar Rao, Tahsildar, Dornala Mandal, Prakasam District and Sri S. Ramu, Mandal Deputy Surveyor, Dornala approached the Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore and gave a complaint against them on 09.09.2007. The Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore registered the said complaint as case in Cr.No.11/RCT-NPK/2007 after due verification and took up investigation;

4. And whereas, it is further alleged that on 10.09.2007 at 15.00 hours, Sri Syed Madhar Saheb went to the office and met Sri G. John Victor Prabhakar Rao and on seeing him Sri G. John Victor Prabhakar Rao, asked him whether he brought the demanded bribe amount of Rs.30,000/- and when he told Sri G. John Victor Prabhakar Rao affirmatively he demanded and asked Sri Syed Madhar Saheb to keep the bribe amount on his table. Accordingly Sri Syed Madhar Saheb kept the amount on the table of Sri G. John Victor Prabhakar Rao. Thereafter, Sri G. John Victor Prabhakar Rao called Sri Sk. Mahaboob Vali into his room and instructed him to take the amount by pushing with his left hand and go to his (Sri G. John Victor Prabhakar Rao) house by handing over the house keys. Accordingly Sri Sk. Mahaboob Vali his personal assistant took the amount and kept in his right side pant pocket. Then Sri G. John Victor Prabhakar Rao promised Sri Syed Madhar Saheb that the Patta would be issued soon and he would instruct Sri S. Ramu to prepare the Patta in due course as the entire record is with Sri S. Ramu. At about 3.05 P. M

Sri Syed Madhar Saheb gave the prearranged signal. On receiving the signal the Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore rushed into the office and found Sri G. John Victor Prabhakar Rao and Sri Sk. Mohaboob Vali coming out of the room. The Deputy Superintendent of Police conducted test on both the hand fingers of

Sri G. John Victor Prabhakar Rao. On that the left hand fingers only of the said officer yielded positive result. On the confession of Sri G. John Victor Prabhakar Rao, the Deputy Superintendent of Police conducted chemical test on both the hand fingers of Sri Sk. Mohaboob Vali. On that the right hand fingers only yielded positive result. Sri Sk. Mohaboob Vali voluntarily took out a wad of currency notes of Rs.30,000/- from his right side pocket of his pants along with house keys of Sri G. John Victor Prabhakar Rao. The Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore seized the said amount of Rs.30,000/-. The chemical test over the inner lining of pants of Sri Sk. Mohaboob Vali. On coming to know about the incident Sri S. Ramu, Mandal Deputy Surveyor, Dornala on deputation, who demanded and acted as mediator to Sri G. John Victor Prabhakar Rao did not turn up to the office after lunch on the day of the trap without leave or permission and absconded. On verification the Deputy Superintendent of Police, Anti-Corruption Bureau found that the said Sri S. Ramu failed to sign in the Attendance Register from 02.08.2007 to 27.08.2007. Then, Sri G. John Victor Prabhakar Rao produced Xerox copies of the

representation from the Iron Almyrah of Sri S. Ramu and the same were seized by the Deputy Superintendent of Police, Nellore;

5. And whereas, the acts of Sri S. Ramu, Mandal Deputy Surveyor, Dornala Mandal, Prakasam District constitute offences punishable under sections 7 and 13(2) read with section 13 (1) (d) of Prevention of Corruption Act. 1988 (Act 49 of 1988) read with section 34 Indian Penal Code.

6. And whereas, the Government of Andhra Pradesh being the competent authority to remove the said Sri S. Ramu, Mandal Deputy Surveyor, Dornala Mandal, Prakasam District from Government service after fully and carefully examining the material placed before them in respect of the aforesaid allegation and having regard to the facts and circumstances of the case consider that the above said Sri S. Ramu, Mandal, Deputy Surveyor, Dornala Mandal, Prakasam District should be prosecuted in a Court of Law for the above said offences;

8. And whereas, the Director General, Anticorruption Bureau, Hyderabad in his letter 2nd read above has requested for rectification of certain defects in the prosecution sanction orders issued by the Government in the order 1st read above.

7. Now, therefore in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for prosecution of the said Sri S. Ramu, Mandal Deputy Surveyor, Dornala Mandal, Prakasam District for the offences punishable under sections 7 and 13 (2) read with

section 13 (1) (d) of the Prevention of Corruption Act, 1988 (Act 49 of 1988) read with section 34 of the Indian Penal Code, 1960 and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the afore said act and for taking cognizance of the said offences by a court of competent jurisdiction to try.

To
The Director General,
Anti Corruption Bureau, Hyderabad.